2026:AHC:209331

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 28179 of 2026

Satendra

.....Applicant(s)

Versus

State Of U.P. And 3 Others

.....Opposite Party(s)

Counsel for Applicant(s)	:	Umendra Kumar Yadav
Counsel for Opposite Party(s)	:	G.A.

Court No. - 64

HON'BLE VIVEK VARMA, J.

1. Learned A.G.A. submits that the notice of the instant application has been served upon the opposite party no.3/informant on 02.08.2026 and opposite party no.2/C.W.C. on 02.08.2026. The receiving endorsements produced by learned A.G.A. are taken on record. However, no one appears on behalf of the said opposite parties nor any counter affidavit has been filed on their behalf.

2. Heard learned counsel for the applicant and Sri Anupam Anand, learned Brief Holder for the State-opposite party.

3. The present bail application has been filed with the prayer to enlarge the applicant on bail in Case Crime No. 267 of 2026, under Sections 137(2), 65, 87 B.N.S., Section 3/4 Protection of Children from Sexual Offices Act and Section 3(2)(V) SC/ST Act, Police Station Puwayn, District Shahjahanpur, during the pendency of the trial.

4. Learned counsel for the applicant contends that the applicant has been falsely implicated in the present case. The victim is a major. The age of the victim was incorrectly got registered in the school records by the victim's parents to give her advantage in life. There is no lawful basis for the age related entry of the victim in the school records disclosing her age and the entries made are unbelievable. Further, the victim, in her statements recorded under Sections 180 and 183 B.N.S.S., has stated that she had voluntarily left her house, accompanied the applicant to District Khiri, solemnized marriage with him, and both started living as husband and wife. There is no allegation of any forceful assault against the applicant. It is next

contended that the allegations constituting violations of the SC/ST Act are general in nature and have been introduced to lend colour to the present story. The applicant is in jail since 13.05.2026 having no criminal history. In case he is enlarged on bail, he will not misuse the said liberty.

5. Learned Brief Holder for the State has opposed the prayer for bail but could not satisfactorily dispute the aforesaid submissions from the record.

6. Having heard counsel for the parties and having perused the record this Court prima facie finds that the victim in her statement recorded under sections 180 and 183 B.N.S.S. has stated that she had voluntarily left her house, accompanied the applicant to District Khiri, solemnized marriage with him, and both started living as husband and wife. There is no allegation of any forceful assault against the applicant. At this stage, there is no corroborative evidence to link the applicant with the offence. Further, the applicant has remained confined for almost five months and after submission of charge sheet there is no hope of early conclusion of trial, more so when no reasonable apprehension has been brought to the fore by the State that the applicant, if enlarged on bail, would either tamper with the evidence or delay the trial or intimidate the witness, without commenting on merits of the case, I am of the opinion that the applicant is entitled to be enlarged on bail.

7. Let the applicant, **Satendra** involved in the aforesaid case be released on bail on his furnishing a personal bond and two sureties each of the like amount to the satisfaction of court concerned on the following conditions that:

i. the applicant shall not tamper with the prosecution evidence;

ii. the applicant shall not pressurize the prosecution witness;

iii. the applicant shall appear on each and every date fixed by the trial court.

8. In case of breach of any of the above conditions, the prosecution shall be at liberty to move bail cancellation application before this Court.

October 7, 2026
Abhishek

(Vivek Varma, J.)

Digitally signed by :-
ABHISHEK SINGH
High Court of Judicature at Allahabad